THE VIRGINIA GAZETTE, AND GENERAL ADVERTISER.

RICHMOND—PRINTED (EVERY WEDNESDAY AND SATURDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

No. 1130.] WEDNESDAY, SEPTEMBER 14, 1803. [VOLUME XVIII.

Information Wanted!

LEFT school at Williamsburg, ten days ago, a BOY named BENJAMIN LEWIS, about 13 years of age, has a scar on his right cheek; also, one on his forehead, and another on the back part of his head. It has been said that he was seen in company with a pedlar, on Sunday the 28th ult.—Whoever will give informotion of him to the printer of this paper, shall receive the thanks of his disconsolate mother, SUSANNAH LEWIS, a widow residing in Williamsburg. The printers in the different parts of the United States are requested to publish this advertisement, for the sake of humanity. SUSANNAH LEWIS.

September 8th, 1803.

For FREIGHT, *or* CHARTER,

The fast sailing American ship

KINGSTON,

JOB STEPHENS, master;

A new veſſel, burthen about 400 hhds. Tobacco, now at City Point, and will be ready to take on board in ten days For terms apply to *Robert & Allan Pollok & Co.* Richmond.

BUCHANAN & POLLOK.

Peterſburg, 1ſt September, 1803.

SAMUEL BRADDICK,

HAVING declined buſineſs in Richmond for the purpoſe of commencing one in partnerſhip with *WILLIAM SKIPWITH*, at the Cumberland Mills in Cumberland county, and Farmville, Prince Edward county, ſolicits the favor of all thoſe who are indebted to him, to come forward and cloſe their accounts, or he will be driven to the neceſſity of employing an attorney. His counting room is over the ſtore he lately occupied.

Richmond, September 8th, 1803.

Tobacco Land

FOR SALE.

IN Amherſt county, on Horſley's Creek, 529 acres of rich Tobacco Land, formerly the property of Mr. Daniel Warwick, and known by the name of WINCANTON. This land has the advantage of laying on the main road, leading from Amherſt Court-Houſe to Waugh's Ferry, on James River, is a valuable ſtand for a Country Store, with a framed houſe for that purpoſe, entirely new, and ſufficiently large, having two rooms below and two above ſtairs, with a good brick chimney, and well under-pinned with brick, alſo a lumber houſe ſixteen feet ſquare, with a cellar of its full ſize walled up with ſtone. There is alſo a Taylor's and Saddler's ſhop, and other out houſes; likewiſe a tolerable good dwelling houſe with three rooms below, and two above ſtairs; a kitchen, dairy, and other out houſes within a mile of the ſtore, ſuitable for a private family. On this tract of land there is about ſeventy five acres cleared; all of which is freſh and in good order for cultivation. It has alſo the advantage of being only ſeven miles from Bethel, where there is an inſpection of Tobacco, and within eighteen miles of Lynchburg.

As it is preſumed no perſon will be inclined to purchaſe the above without viewing the premiſes, they will be ſhewn by Meſſrs. Taliaferro & Loving, who live within a few miles of Wincanton, and fully empowered to make a ſale; and the terms of payment may be known from them; as alſo on application to

Gilliat & Kirby.

Richmond, September 8th, 1803. tf

From the Utica Patriot.

Notwithſtanding the artful diſſimulation and hypocritical cant of democracy, an attentive obſerver will meet with frequent inſtances of palpable inconſiſtency, in the "geſtion of her unhallowed deſigns to ſubvert the principles of rational liberty, and deceive the credulous and unſuſpecting.—The crooked path of jacobiniſm, leads thro' devious windings, to a labyrinth, impervious to the rays of genuine liberty; and if purſued will end in ſure political ruin. But we have a warning voice frequently afforded us by the conduct of this party to deter us from following the footſteps of thoſe who, *blindly*, or with a ſpirit of incorrigible wickedneſs, would plunge their country, into all the horrors of democratic deſpotiſm. Surely men cannot act from honeſt motives, ſurely they cannot be guided by a genuine love for their country, nor prompted by diſintereſted views for the honor, intereſt and happineſs of the people, who are obliged to twiſt into all the contortions of a reptile, and wind through all the changes of a ſubtle ſophiſtry to accompliſh their ruinous projects, and yet preſerve their popularity; to deceive the people with profeſſions of unalterable attachment to the government, at the very moment they are giving it its death wound. Surely theſe men are not entitled to the confidence of the people, who practice to-day what yeſterday they condemned; who purſue meaſures infinitely more violent than thoſe which they denounced in their political adverſaries; who to-day deny the exiſtence of a law, infringing on the liberty of the preſs, when their ſucceſs in gaining the aſcendency of power, depends on an abuſe of this liberty; but who to-morrow, when their purpoſes are accompliſhed, contend for the exiſtence of the *ſame law*, that they may prevent juſt apprehenſion, and thereby ſecure the permanency of that authority, which would fall before the force of all prevailing truth. Who now boldly cenſure a law, as tyrannical and unjuſt, (though eminently calculated to ſecure the liberty and guard againſt the licentiouſneſs of the preſs) and in the next moment advocate principles that have a ſure and direct tendency to ſubvert this liberty, and with that, every invaluable privilege of freemen. Surely the ſincerity of thoſe men muſt be ſuſpected, who with a ſolemn mockery, can affect to cheriſh the memory, and admire the virtues of him, who was his country's boaſt, at the ſame time they applaud the "uſeful labours" of a profligate wretch, who was his bittereſt enemy, and who exerted, with malignant rancour, every energy of his mind, to blaſt the faireſt fame and revile the pureſt virtue.—Surely the moral and religious character of that man muſt be ſuſpected, who ſelects for his boſom friend, the arch apoſtle of infidelity, and entertains with the cordial welcome of hoſpitality, the loweſt wretch of profligacy. Surely the liberties of our country cannot be entruſted to faithful public ſervants, when foreign renegadoes, fugitives from juſtice, and unprincipled adventurers, are charged with the ſervile taſk of ſupporting the authority, and advocating thoſe meaſures, which native citizens are not permitted to gainſay. Surely the views of that adminiſtration cannot be honorable in themſelves, nor advantageous to the country which receive their direction, not from conſiderations of what is really beſt, but of what is beſt calculated to ſecure popular applauſe. A ſyſtem of ſhort-ſighted pulicy that will ſacrafice the beſt intereſt of our country to the illaudible purpoſe of retaining a little longer, an ill-gotten power. Surely thoſe men cannot be eſteemed the friends, and ſupporters of our conſtitution, who at one bold ſtroke, would proſtrate the ſtrongeſt pillar of its ſupport, and fritter away by piece meals thoſe ſyſtems that give ſtrength and ſtability to the government—ſurely the wiſdom and integrity of that party muſt be queſtioned, who are involved in palpable inconſiſtencies, and unpardonable contradictions; whoſe conduct in the management of public affairs, forms one continued tiſſue of incongruities. What can be our eſtimation of a man or any ſet of men, who one moment applaud the conduct of an adminiſtration, and eulogize it as a bright conſtellation, who had wiſely conducted the government, and left it in the full tide of ſucceſsful experiment, and in the next breath, cenſure it as having been devoted to the views of a particular ſect, and as ſhutting the doors of honor and confidence againſt one half of the citizens of our country; as having deſigns, dangerous to the liberties of the republic, and favourable to the eſtabliſhment of a monarchy. What muſt be our eſtimation of the man, by whom, in the flattering language of adulation, we are now called brethren of one family—all federaliſts, all republicans,—and in the next moment, prompted by a ſpirit of political intolerence as deſpotic as wicked, we are perſecuted for opinion ſake, and the bread of honeſt and faithful ſervants is taken from their mouths and given to the worthleſs and profligate of a favoured ſect. Surely there muſt be "ſomething rotten in Denmark," when power is gained by the *licentiouſneſs of the preſs*, and preſerved, by a *ſuppreſſion of its liberty*.

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From the Ulſter Gazette.

The doctrines advanced in ſupport of the proſecution of Mr. Croſwell's, go ſo completely to deſtroy that right of free inveſtigation—ſo completely to ſhield the Preſident from all the accountability to the people, nay even to place him beyond their reach, that no man ought to be indifferent to the iſſue. If the principle is once eſtabliſhed, that we have no right to make known the miſdeeds of men in office, elections will be mere inſulting parade. The people are to be kept in ignorance both as it reſpects the characters and conduct of the public ſervants, and thus when they vote it muſt be blindfolded. This is an argument which is preſſed in a variety of ſhapes—it is one of the choiceſt fruits of that Bohan Upas which democrats call the tree of liberty. Be ſilent and be ignorant is the privilege of the day. Let nothing concerning our rulers, unleſs it be the tumultuous roar of applauding ſycophants, eſcape the lips of any man! And let him who ſhall dare to infringe this law of a flagicious faction, meet his reward, among thieves, robbers and murderers, in the gloomy walls of a priſon—let his fate be embittered by the complaints of children crying for bread—let his miſery be completed by the ſighs and tears of a forlorn and helpleſs wife, ſeeking the companion of her deſpair. This is a picture, and a too faithful picture of that democratic liberty, which now threatens our ſecurity and repoſe. It ſuits the ſlave, the tool of the party to day—but, mark me, apoſtate! tomorrow it may be your own. Nay, there is not one of the people, who can be ſafe, unleſs he puts a bridle upon his tongue, and cringing before the meaneſt minion of power, like a daſtard yields at once the right to think and the privilege of giving publicity to his thoughts.

Such is the ſyſtem prepared for us—ſuch is the yoke under which we are to paſs, unleſs the ſpirit of the nation ſhould be rouſed and the people aſſert their rights. Let it not, however, be imagined, that the chain of ſlavery, which rapidly approaches us, is preſented rough, uncouth and clanging—that thoſe who have forged it come upon us in that terrible deformity which would ſo naturally be expected from the atrocity of the deſign. Not ſo. Though the hiſſing of the ſerpent is heard, the cloven foot is concealed. We are to be approached by the invaders of our rights in all the plainneſs of republican honeſty—our fears are to be ſoothed by a faſcinating cant, while the chains are riveting—and when we wake into a knowledge of our ſituation, it will be like the people of France, contemplating the deſpotiſm of a Bonaparte.

If the voice of complaint can be ſilenced—if the truth cannot be ſpoken—where is your ſecurity? If, like the kings of Iſrael, our preſidents, governors and legiſlators are to be conſidered "*the Lord's anointed*," the interests of the people may be ſacrificed—their moſt precious rights deſtroyed, who ſhall dare to murmur? And if any ſhall dare, the deſperate patriot, who raiſes the warning voice, will be ſtripped of his property by a fine, and left to ponder upon the rights of a free citizen *in a dungeon*—and when this cruelty is announced and deplored by any one his portion will be the ſame.

And why are we to ſubmit to this degradation—to this abaſement—this complete deſpotiſm? Becauſe, ſays a ſettled enemy to republican liberty, in the plebeian, becauſe the Preſident is ſubject to impeachment, and if he does wrong Congreſs may remove him. And are not the people as fit judges whether he does wrong as the Congreſs? Is the power to be taken from the people entirely? Is your canting hypocriſy come to this at laſt?

Surely this is a baſe article to miſlead—it has not even the ſemblance of argument. When under Mr. Adams the ſedition law was paſſed, which permitted the truth to be given in evidence, the federaliſts tho' accuſed, and accuſed *moſt falſely*, of wiſhing to ſcreen their Preſident from examination, never uſed an argument like this. It was reſerved for the friends of the people to declare you have no intereſt in the conduct of your Preſident—let Congreſs decide—you muſt ſubmit. If this is not the practical amount of the doctrine in the Plebeian, language has loſt its force.

But the ſpirit of the conſtitution is not ſo—The ſafety of the people is the grand object of the federal compact, and accordingly the preſident is dependent upon them. At any time during the four years for which he is elected, he may indeed be impeached and removed by your repreſentatives. But does this proviſion exclude the people from the inveſtigation of his conduct and character, or is it for their greater ſecurity *between* the periods of election? Nay if the pretence has any foundation at all; if the people are not to be informed; if the truth is not to be publiſhed concerning our rulers; if in fine we are ſufficiently ſecure, becauſe the preſident may be impeached and removed, why the ſolemn mockery of an election? why not place him in the chair for life? Or is this to be the *next* point, when the ground now taken is ſecured? If we are not permitted to diſcuſs his merits, how are we to vote? In the name of God let us not be mocked with ſhadows—If we are permitted to vote, let us at leaſt be allowed to know *why* we vote—and *whom* we vote.

But it is ſaid, if the truth is allowed as a juſtification, the preſident muſt attend every trial. Is this ſo? By the ſedition law the truth might be given in evidence. The moſt hardened democrat dare not contradict us here. Men were indicted, tried and convicted under the ſedition law Did Mr. Adams ever attend any trials? No—not one. The libels upon him were outrageouſly falſe—it was never neceſſary. But perhaps our democrats are afraid that when any thing is alledged againſt their Jefferſon, it will be ſo ſatisfactorily proved that it may require his oath to counteract it. But after all, every argument on this ſcore (allowing the ſilly poſition, that Mr. Jefferſon's attendance is neceſſary) is drawn from *inconvenience*—while the privilege of producing one's witneſſes—of juſtifying one's ſelf by giving the truth in evidence is a *right*, an inherent, an unalienable *right*. And whatever *inconvenience* may in certain caſes be felt by the preſident, that can never be a reaſon why a ſingle individual ſhould be deprived of his *right*—But the times are ſadly changed—Yeſterday we heard from our office hunting hypocrites, nothing but declamations concerning the *rights of the people*. To day they are to be ſacrificed to the *convenience of the preſident!* And theſe men dare to pollute the holy name of republicanism.

But Frothingham was indicted at the inſtance of Gen. Hamilton. Did the defendant, did his counſel even *pretend* that he had publiſhed the truth? Was it not expreſsly proved that it was falſe? Anſwer apoſtate. And yet this caſe is cited to juſtify the proſecution of Croſswell! But allowing (for argument ſake) that every thing done by Gen. Hamilton then was wrong, does that make a repetition of the enormity right now. Allow, if you pleaſe, that the federaliſts had perſecuted men in abundance: does that juſtify the perſecutions of the preſent day. Prove firſt, that the mere object in controverſy was whether the federaliſts or democrats ſhould be the perſecutors and your arguments may have ſome weight. Then by your own confeſſion, you did not contend for juſtice, for liberty, for the rights of citizens—you contended merely for the right to oppreſs—it is ſo—elſe why juſtify your abominations, by a compariſon with federal deeds which you then miſrepreſented to excite public odium? Even were *they* wrong, *you* cannot be right—and your arguments prove that you are already ſo ſelf debaſed, that you arrogate no longer pre-eminence in juſtice—in regard for freedom—your declarations are "we poſſeſs power and it ſhall be felt." Yes, this is your patriotiſm—this is your republicaniſm—"falſe and hollow as the heart of hypocriſy itſelf."

But in regard to libels the federaliſts have been always *inconſiſtent*. By the ſedition act, libellers were permitted to juſtify themſelves by giving the truth in evidence—this we gave—this is all we demand. But truth is no protection to federaliſts—and yet this violation of all right is pretended to be juſtified by *precedent*. We have already ſhewn, that precedent cannot juſtify iniquity. But to place the merits of this controverſy beyond the reach of ſophiſtry

we have also shewn, that our president was never fortified by a law, which silenced the voice of truth. We have ever been consistent—we say *now* as we said *then*—LET NO FREE CITIZEN BE PUNISHED FOR PUBLISHING THE TRUTH.

—

An Extract from the famous

SEDITION LAW.

And be it further enacted and declared, That if any person shall be prosecuted under this Act for the writing or publishing any libel aforesaid, it shall be lawful for the defendant, upon the trial of the cause, *to give in evidence in his defence* THE TRUTH of the matter contained in the publication charged as a libel.

Such was the law of the *Federalists*.

The greater the truth the greater is the libel.—The truth is no justification. You cannot give the truth in evidence. "If your witness was here on the spot, I should not suffer him to open his lips."

Such is the law of the *Democrats*.

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From the Hudson Balance.

LIBERTY OF THE PRESS.

HARRY CROSWELL's TRIAL.

The question for a new trial, in the prosecution against the Junior Editor of the Balance, is not to be argued and decided until November next; and, from the disposition which is shewn by democratic printers to misrepresent and distort the facts, it is evident that the public mind will be misled on the subject, unless a fair and impartial account of the whole transaction is immediately given. The Albany Register and the Bee, two papers which are prostituted to the views of the ambitious and designing, have already published the most false and unfair statements and animadversions. The Plebeian, too, a paper said to be edited by the notorious Armstrong, has pursued the same course. The statement in the New-York Citizen, mentioned in the Balance of last week, is so palpably false, that Cheetham has not even dared to answer the remarks made upon it in the Evening Post: nor has he (which, was, however, hardly to be expected) had the candour to acknowledge that he was mistaken. Even while an important question was pending in the Supreme Court, those papers were making the most base and wicked attempts to raise a prejudice against Croswell. The publishers of those papers seem to feel (for what reason we know not) a kind of security in such conduct. They seem to believe that they may transgress the rules of decency, decorum and justice, with impunity. We, therefore, caution the public against placing any reliance whatever on their assertions. They are made with a design to deceive. They are the last paltry refuge of men who are afraid of fair investigation—who dare not let the people know the truth.

We shall spare no pains to render our statement correct in every particular. All the facts are drawn from authentic sources. after having the whole truth before them, we beg our readers to weigh the matter well, and judge for themselves.

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RECAPITULATION.

It will be proper, before we give a history of the trial, to bring into view, briefly, the several events by which it was preceeded. It will be recollected that the charges in the paragraph selected from the *Wasp*, as a libel originated in Richmond, Virginia, immediately under the eye of Mr. Jefferson and his officers; that a prosecution was there repeatedly and publicly challenged; that it passed thro' almost every federal newspaper at the southward; that in the northern states, prior to its appearance in the *Wasp*, it had been published in papers, whose circulation is ten times more extensive: Yet this little paper, limited in its circulation, remote from the scene of action, was selected for the victim, and a court chosen whose process could not reach the place it was well known the witnesses resided.

It will also be recollected for what purpose the paragraph in questions was inserted in the *Wasp*.—Holt, the editor of the Hudson *Bee*, had published a paragraph beginning with the following sentence; The burden of the federal song now is that Mr. Jefferson paid Callender for writing against the past administration." As the *Wasp* was established for the particular purpose of correcting Holt's habitual deviations from truth, it was thought proper to expose this most palpable falsehood. Accordingly the paragraph, in questions wass published, viz.

"Holt says, the burden of the Federal song is that Mr. Jefferson paid Callender for writing against the late administration. This is wholly false. The charge is explicitly this: Jefferson paid Callender for calling Washington a traitor, a robber, and a perjurer—For calling Adams a hoary headed incendiary; and for most grossly slandering the private characters of men, who he well knew were virtuous. These charges, not a democratic editor has yet dared, or ever will dare to meet in an open and many discussion."

It ought likewise to be known that the Grand Jury who indicted Mr. Croswell, were almost to a man openly and violently democratic. And the public ought also to know the peculiar manner in which the Grand Jury was summoned; and the time and place when and where the indictments were drawn. But—*the truth cannot be given in evidence!* The public must therefore, be content to remain ignorant of these particulars.

It will be recollected, that Mr. Croswell, was immediately arraigned, and tho' he requested copies of the indictments before he plead to the charges, they were refused, and he was compelled to plead without them; and his trial was pressed with such vehemence that a postponement was with difficulty obtained.

It will be recollected that a violent attempt was made to bind Mr. Croswell in thousands, to his good behaviour, and thus in the very face of law and liberty, compose, a previous restraint in the form of surety, upon the press, which, in England, at this day, would doom its projector to execration and infamy.

It will be recollected, that at the June sessions, an attempt was made to prevent the allowance of *certiorari*—to keep the indictments in a court no way competent to decide the various points of law which must necessarily have arisen on the trial; and that on account of some verbal, though immaterial error in the recognizance, Mr. Crosswell was forced to stipulate to bring the cause to trial on the Columbian circuit, which was to be held on the 7th of July succeeding.

By this stipulation, every thing which the public prosecutor could desire, was obtained. The space was too short before trial to afford any probability that witnesses might be obtained from Virginia, even if permission had been given to introduce them; and no application could be made to the supreme court, because in the interval there was to be no term of that court.

Hence, on the 12th day of July, when Mr. Croswell appeared at the circuit, it was well known that he appeared destitute of that proof, which, had time and permission been given, he might easily have obtained.

Before we proceed further, it will be proper also to give a copy of the indictment. This is done, *verbatim*, as well as that the public may know the names of that Grand Jury who found the first bill in this state, under the common law of England, for a libel on the President of the United States, as that they may judge more correctly of the subsequent decision and proceedings.

[COPY OF THE INDICTMENT.]

Columbian County, to wit:

At a Court of General Session of the Peace, holden at Claverack, in and for the County of Columbia, on the 10th day of January, in the year of our Lord one thousand eight hundred and three, before Stephen Hogebourn, Jared Coffin, Jonathan Warner, and others their associates, Justices of the people of the State of New-York, assigned to keep the peace of the said people in the said county, and also to hear and determine diverse felonies, trespasses and other misdemeanors, in the said county, committed by the oaths of P. I. Vosburgh, Abm. Vosburgh, Bartholomew I. Van Valkenburgh, Robert Folger, J. Wynget, Lambert Claw, Wm. Dickie, Thomas Lawrence, Cornelius Van-Allen, jun. Stephen Race, Peter Melick, Daniel Warner, David W. Patterson, John Foot, Andrew Abrams, Joachim Miller, Asael Lee, Spara Andrews, John Wager, Martin Adsit, John Beeba, Josiah Russel, good and lawful men of the County aforesaid then and there sworn and charged to enquire of the people of the state of N. York, and for the body of the county aforesaid, it is presented that Harry Croswell, late of the city of Hudson, in the County of Columbia, aforesaid, Printer, being a malicious, and seditious man, and of a depraved mind and wicked and diabolical disposition, and also deceitfully wickedly and maliciously devising, contriving and intending Thomas Jefferson, Esq. President of the United States of America, to detract from, scandalize, traduce and vilify, and to represent him the said Thomas Jefferson, as unworthy of the confidence, respect and attachment of the people of the said United States, and to alenate and withdraw from the said Thomas Jefferson, Esq. President, aforesaid, the obedience fidelity and allegiance of the citizens of the state of N. York, and also of the said United States, and wickedly and seditiously to disturb the peace and tranquility as well of the people of the State of N. York, as of the United States; and also to bring the said Thomas Jefferson, Esq. (as much as in him the said Harry Croswell lay) into great hatred, contempt and disgrace, not only with the people of the state of N. York, and the said people of United States of America, but also with the Citizens and subjects of other nations; and for that purpose, the said Harry Croswell did, on the 9th day of september, in the year of our Lord, one thousand eight hundred and two, with force and arms, at the said city of Hudson, in the said county of Columbia, wickedly, maliciously and seditiously print and publish, and cause and procure to be printed and published, a certain scandalous, malicious and seditious libel, in a certain paper or publication entitled "The *Wasp*," containing therein, among other things, certain scandalous, malicious inflammatory and seditious matters, of, and concerning the said Thomas Jefferson, Esq. then and yet being President of the United States of America, that is to say, in one part thereof, according to the tenor and effect following, that is is to say, "Jefferson (the said Thomas Jefferson Esq. meaning,) paid Callender (meaning one James Thompson Callender) for calling Washington, (meaning George Washington, Esq. deceased, late President of the said United States) a traitor, a robber, and a perjurer, for calling Adams (meaning John Adams, Esq. late President of the said United States) a hoary headed incendiary, and for most grossly slandering the private characters of men who he (meaning the said Thomas Jefferson) well known to be virtuous," to the great scandal and infamy of the said Thomas Jefferson, Esq. President of the said United States, in contempt of the people of the state of N. York in open violation of the laws of the said state, to the evil example of all others, in like case offending, and against the peace of the people of the state of New York, and their dignity.

E. FOOT, District Attorney.

A True Copy, K. HODGEBROOM.
Clerk of the County of Columbia.

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On the 11th of July, P. M. Mr. Attorney General Spencer requested the court to proceed to the trial of Harry Croswell, upon the foregoing indictment. Croswell's counsel insisted that, inasmuch as they had been forced to take upon themselves the burden of preparing the causes of trial, and to bring them down to the circuit, they had a right to elect which should be first tried. But Judge Lewis deciding in favour of Mr. Spencer, the trial which he had moved was ordered to proceed. The counsel for the defendant then submitted to the court the following affidavit:—

Columbia County, ss. Harry Croswell the defendant in the above cause, being duly sworn, deposeth, and saith, that James Thompson Callender, of the state of Virginia, is a material witness for this defendant, without the benefit of whose testimony, as he is advised by his counsel and verily believes he cannot safely proceed to trial; that this deponent expects to be able to prove, by the said James Thompson Callender, the truth of the charge set forth in the indictment against this deponent, so far forth as this—That the said James Thompson Callender was the writer of a certain pamphlet, called the "Prospect before Us," and that he caused the same to be printed and published; That Thomas Jefferson, Esq. president of the United States, well knowing the contents of said publication, called the "Prospect before us," paid, or caused to be paid to the said James Thompson Callender, the two several sums of fifty dollars, one of which was paid prior to the publication of the said pamphlet, for the purpose of aiding and assisting him, the said James Thompson Callender, in the publication of the said pamphlet: and the other subsequent to the publication thereof, as a reward, thereby shewing his, the said Thomas Jefferson's approbation thereof.—And this deponent further saith, that in the said publication, called "Prospect before us," George Washington, Esq. late president of the United States, deceased, is charged in effect, with the several crimes in the indictment aforesaid mentioned; and that John Adams, Esq. late president of the United States, is therein expressly declared to be a "hoary headed incendiary." And this deponent says, it has been wholly out of his power to procure the voluntary attendance of the said James Thompson Callender, at this court: tho' he had, at the last court of general sessions of the peace in this county, and since, until within a few days past, good reason to believe that he would attend as a witness at this court. And this deponent also saith, that he expects to be able to procure the voluntary attendance of the said James Thompson Callender, at the next circuit court, to be held in and for this county; and that he will bring with him, two letters from the said Thomas Jefferson, to the said James Thompson Callender, wherein he expresses his approbation of a certain publication, then about to be printed by the said James Thompson Callender, which publication, the deponent expects to be able to prove by the said James Thompson Callender, was the "Prospect before us," unless the said court should grant a commission to examine the said James Thompson Callender, upon an application which this deponent intends at the next term to make for that purpose.

HARRY CROSWELL.

Sworn, the 11th July, 1803.

W. WILSON, Commissioner.

Upon this affidavit the counsel for Mr. Croswell moved for a postponement of the trial until the next circuit.

Mr. James Scott Smith, of New-York, in a short, but very forcible and ingenious argument, stated the grounds and enforced the propriety of the application. We regret that it is not in our power to give this address to the public. He dwelt principally upon the great difference in the frame and spirit of the English government from our own.—The one a republic—the other a monarchy. In the one, the chief magistrate *can do no wrong*—is himself the sovereign. In the other, the people are sovereign, and, the chief magistrate is directly responsible to them for all his conduct. In the one, therefore, it might be proper to prohibit the giving of the truth in evidence, while in the other, it would be the height of absurdity, and in the very teeth of the constitution; and, as he contended that the propriety of this application depended on the legality of giving the truth in evidence, he had no doubt a postponement would be granted.

Judge Lewis then intimated, that the propriety of this postponement depended upon the admissibility of the evidence mentioned in the affidavit—The evidence there described, was evidence, he said, of the truth of the charge for which the defendant was indicted. And he understood the law to be settled, that the truth could not be given in evidence to the jury as a justification.

Mr. Van Vechten and Mr. Williams, however, differing in opinion from his honor, were suffered to proceed in the arguments. As we have only loose sketches of their arguments, we cannot give them with accuracy; but we believe the tenor of their addresses was nearly as follows:—

After a short introduction, in which they regretted the embarrassing situation in which they were placed, by the premature intimation which Judge Lewis had given of his opinion, and stated that they had no doubt that if conviction should be forced in his honor's mind, in the course of the argument, his honor would not hesitate to express it, and consequently abandon his present sentiment, they contended that the stipulation into which the defendant was forced to enter, at the last sessions, was no bar to the present application. *First*, because the stipulation had not been made a rule of court; and *second*, because, if it had been a rule of court, its only effect would be, to compel the defendant not to interpose any unnecessary delay. But that the court never did, nor ever would permit a stipulation of this kind, to force the defendant to trial at all events. They next contended, that as the offence charged was a misdemeanor only, the supreme court might and would grant a commission for the examination of foreign witnesses. Or, if that could not be done, the court would compel the Attorney-General (inasmuch as he had seen fit to prosecute an offence against the federal government in a state court, a court of limited jurisdiction, whose process, he must have well known, could not reach the necessary witnesses) to consent to the issuing of a commission. But they said that these were subordinate considerations. They admitted that his honor, Judge Lewis had placed the subject on its true grounds:—Could the testimony mentioned in the affidavit, if present, be given to the jury? As there had been no neglect on the part of Mr. Croswell—as the stipulation could not weigh one feather against the application as it would be the height of injustice and persecution to force a man to a trial, upon the event of which fines and imprisonment might follow, without giving him reasonable time to procure all evidence admissible and material to his defence; and as his honor Judge Lewis had placed the propriety of the present motion on the competency or incompetency of the evidence mentioned in the affidavit, they concluded, that if that evidence (which was evidence of the *truth* of the publication of Mr. C. was indicted) could be given to the jury, then the postponement of the trial would of course be granted. If that evidence could not be admitted—if the truth was no justification, and could not be given in evidence, then it would be refused. In discussing on this part of the subject, they said they should not take into consideration the law on private libels. One species of private libels, to wit, those which published the personal or mental defects merely of private individuals, which those individuals could neither remedy nor prevent, it was certainly proper to punish—and perhaps, in such case, the truth ought to be no justification. But they said, it was unnecessary to discuss that subject; for this was evidently a public libel—a libel on Thomas Jefferson, *as President of the United States*; not on Thomas Jefferson, simply, as a citizen of Virginia. Upon the very face of the indictment, this was apparent. The indictment charged that Harry Croswell, "wickedly and seditiously intending and designing to detract from Thomas Jefferson, President of the United States; and to represent him as unworthy of the confidence, respect and attachment of the people," &c.—and to alienate and withdraw from the said Thomas Jefferson, Esquire, *president as aforesaid, the obedience, fidelity and allegiance* of the citizens of the state of New-York, and also *of the United States*; and wickedly and seditiously to disturb the peace and tranquily, as well of the people of the state of New-York, as *of the United States*," &c. The offence charged, therefore, is a wicked and seditious design and intent to alienate and withdraw from Mr. Jefferson the allegiance, obedience and fidelity of the people. But the people owe no "allegiance, obedience or fidelity" to T. Jefferson, as T. Jefferson, or merely as a citizen of Virginia. It is the president of the United States to whom allegiance is due. It is obvious, therefore, that the offence *as charged*, is an offence against the government of the United States, which is attacked in the person of its highest officer. Besides, a libel on any private citizen of any other state, could not be prosecuted in a court of this state, unless the person libelled, was at the time resident here—for it has no tendency to a breach of the peace here, which tendency is the very ground of this prosecution. The offence, therefore, mentioned in the indictment, arises merely from the relation in which the people of this state stand to the President of the United States; and consequently, is what the law denominates a public libel, or a libel on the government.

(To be continued.)

Foreign Intelligence.

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LONDON, July 21.

It was yesterday reported that Bonaparte has suddenly returned to Paris, in consequence of the hostile motions of the Austrians on the side of Italy, but this intelligence requires confirmation.

The King of Prussia has countermanded the Army of Observation which had been forming in the neighbourhood of Wesel, under Gen. Blucher; a small portion is to be drawn on the Prussian frontiers.—What makes His Majesty so very easy with regard to the neighbourhood of the French?

The Emperor of Germany, on receiving advice of the seizure of Hanover by the French, gave orders for extraordinary levies of troops being made throughout the Hereditary States. In Tyrol, and the Bishopricks of Trent and Brixen, all persons between the ages of sixteen and sixty, capable of bearing arms, have been placed in requisition in four several classes.

The French troops in the Batavian Republic and in Italy, receive continual supplies, and are constantly on the alert. A new encampment of 12,000 men is forming at Deventer, which is destined to reinforce and support the army of Hanover; and it is confidently stated, that the whole of the Republican army in Italy will be shortly augmented to nearly 110,000 effective troops. Fresh troops are advancing to Italy from the southern provinces of France, and the force now in the Neapolitan territory, under the command of General St. Cyr, is to be increased to 50,000 men.

They write from Genoa, that a squadron of five ships of the line and six frigates had put to sea from Toulon, and passed by a strong English fleet.

The expences of the King of Etruria's burial amounted to 300,000 livres. They put in his coffin two gold medals of great value: the corpse wore shoes, with a pair of buckles richly set in brilliants, and on the King's finger remains a brilliant ring of great value.

July 22.

We are happy to see that a meeting of the merchants, bankers and traders of London, is called to declare their determination to support the country against French ambition, at this moment. Such a declaration, from so great and powerful a body, will have the very best effects, over the whole country, will impress every one with a sense of danger and animate all to exertion. The meeting is not called by an anonymous advertisement, but by a list of names, which, in extent and respectability, never was before equalled on a similar occasion.

It is reported that the Doris frigate has taken a French frigate of 44 guns. The Doris, in company with the Thunderer of 74 guns, has also, it is said, captured a French brig. It was from the prize master of this brig that the news of the capture of the French frigate was received—the brig having, on the 17th instant been spoken with by the Ramsay tender, which has since arrived at Penzance.

On Tuesday last a well known character in the intrigues of the French revolution was arrested at the George and Blue Boar, in Holborn, where he had just arrived from an out port, and underwent a long examination at the alien office, when he was put into the custody of a messenger.

Lord Hawkesbury delivered yestdrday a message from his majesty to the house of commons, requesting it to take into consideration the present situation of the house of Orange, and to make such allowances to the illustrious personages who compose it as the present exigencies of the country will admit.

The prince of Orange must be considered as having sacrificed the high situation he filled, and the fortune he possessed to his personal affection with Holland. At the peace of Amiens, it was understood, that some indemnification would be provided for his serene highness and his family; and his letter to Lord Hawkesbury, on his departure for the continent, stated his claim to the exertions of the

British government in securing that object. The renewal of the war, however, terminated all expectations of that kind, but from the munificent spirit of Great Britain; and it is surely to the honor of its ministers, that an intention is manifested to give that relief which is suited to the occasion.

It is an act which we are bound by every principle of honor and justice to perform; and, in the performance of it, this country offers a striking contrast to the conduct of France, whose friendship is oppression, and whose protection is ruin. While we meditate to support the prince, who lost his government of Holland from his attachment to G. Britain, Holland is compelled to repay the friendship of France by the most slavish submission, and to yield what remains of its treasures, its commerce and its liberty, to the tyranny of its protector.

The officers and men that went as convoy with the ships which were purchased, by order of the emperor of Russia, for a voyage of discovery, have returned, and speak highly of the reception they met with at the Russian court. The emperor made the two officers presents of gold snuff-boxes, of the value of 80 to 100 guineas, and each of the private sailors a present of money; as did also the American Society there.

As the public must wish to be accurately informed of the new plan of arming the country, we restate the outline of the bill brought in by the secretary at war on Monday:

That all the males, from 17 to 55, in every parish throughout these kingdoms, shall be regularly trained to the use of arms.

That the armament shall be divided into four classes, viz.—The first shall consist of persons from the age of 17 to 30, who are unmarried, and have not more than one child under ten years old. The second of the same description from the age of 30 to 50. The third, of those who are married, from 17 to 50, and have not more than one child.—And the fourth of all those who do not come within the above mentioned descriptions.

That the clergy, the militia, the army of reserve, the volunteer corps, &c. shall be exempted from the operations of the bill.

That the lords lieutenants shall be empowered and commanded, in conformity to the general plan of defence, to cause all the men in the different parishes of all the counties, to be instructed in the use of arms once a week, from Lady Day to Michaelmas.

That the arms shall be furnished by his majesty, and that they shall afterwards be kept in proper order by the respective parishes.

That such as do not attend at the time and place appointed, shall forfeit 5s. and the poorer classes 1s.

That orders shall be given for the appointment of officers, &c. and for the uniting of small neighbouring parishes, to unite them into companies.

That his majesty shall be enabled to order the deputy lieutenants to assemble the whole, and to direct that one or two classes, or all if necessary, shall, in cases of invasion, march to the coast, or elsewhere, against the enemy.

That when there on service, every man shall be subjected to regular discipline, and to the operations of marshal law, in the same manner as the regular army.

That when thus assembled every man shall be allowed two guineas to provide himself with necessaries; and on his return, over and above the usual pay, one guinea.

That the services of these corps shall be limited to the continuance of invasion.

That when the enemy shall be pushed into the *sea*, or otherwise *exterminated*, the corps shall have leave to return to their respective homes.

According to the last letters from Corfu, the Emperor of Morocco has declared war against Austria.

A gentleman of America is just arrived here from Brest: he says there are getting ready for sea 15 sail of the line, but are by no means to all appearance in any shape in a state of any great forwardness.

The First Consul after having left Lisle proceeded to Menin, Ypres, Dixmude, Nieuport, Ostend, and Bruges, where he was on the 11th. He is to make his solemn entrance into Brussels on Wednesday or Thursday next.

The French force in Italy has been so augmented, that it should seem as if the French government were not without apprehensions with respect to Austria. The amount of their force is 110,000 men.

The French are having great quantities of ship timber felled in Hanover.

The news of the blockade of Elbe, by the English, has, as might be expected, caused the utmost degree of consternation among the merchants of Hamburgh; all business is at a stand; colonial productions are immense, nobody being willing to sell, while corn is falling as much, there being no buyers. The only hope is, that Prussia, whose trade will suffer, will, in conjunction with Russia, take some effectual measure to put an end to this crisis.

It is with pleasure we are enabled to state that the long pending discussions between our government and the United States, respecting the claims of the American citizens for captures by British cruizers during the last war, are now brought very nearly to a conclusion. Last Friday, the first awards upon the instalments of the Commissioners, amounting to about 400,000l. became due, and was punctually paid by this government. The whole will amount to 1,200,000l. The three Commissioners, Messrs. Gore, Pinckney and Turnbull, who have resided in England for seven years, merit the thanks of both countries, for their patience and perseverance in the examination and adjustment of claims that might have so greatly affected the good understanding between them.

This morning we received Paris and Brussels papers of the 15th instant.

The Moniteur contains animadversions on the blockade of the Elbe and Weser, which it is only necessary for the public to read with common attention to be convinced of their fallacy. This is however, the first inteligence we have received of the blockade of the Weser; and we have no ground to believe, that the exception of the present statement in the Moniteur, that the measure strictly justifiable as it would be, has been actually carried into effect.

The Virginia Gazette.

—RICHMOND—

WEDNESDAY, SEPTEMBER 14, 1803.

RICHMOND PRICE CURRENT.

(Corrected Weekly.)

Tobacco,	34s6 *to* 42s *Cash.*
Wheat,	6s to 7s6 *do.*
Flour, Fine, from old wheat,	33s *do.*
Do. Sup. ditto.	36s *do.*
Do. do. from new wheat,	42s *do*
Corn	13s6 *do.*
Hemp, Clean,	45l *to* 50l *do.*
Iron,	33l *do.*
Whiskey,	3s6d *do.*
Bacon,	8d *do.*

—PORT OF RICHMOND—

—ENTERED—

Sch'r.	Union, Lawson,	Baltimore.
	Planter, Scott,	Norfolk.
	Maryland Mary, Parker,	City Point.
	Amelia, Ann, Sale,	Norfolk.
	Farmers Daughter, Beafton,	G. E Harbour.
	Portsmouth, Goodwin,	Norfolk.
	Delight, Robert,	Ditto.
	Republican, Russell,	Baltimore.
Sloop	Independence, Rape,	Charleston.
	Ranger, Perer,	City Point.
	Astria, Pryer,	Philadelphia.
	Dolphin, Crary,	Wilmington.

—CLEARED—

Sch'r.	Samuel, Somerby,	Newbury Port.
	President, Terry,	New-York.
Sloop	Comet, Johnston,	Philadelphia.
	Amity, Fall,	Portsmouth.

Jones continues, in the last Examiner, to exhibit specimens of his qualifications as a wit and critic. The poor fellow seems to be *hard put to it* indeed. In the space of near a column, occupied by animadversions directed against the Editor of this paper, which, however, appear to be rather the effusions of a flighty, disordered imagination, than of a sound mind, we can discover nothing that claims our particular attention. The "agonizing spasms" under which he appears to labor, deserve commisseration instead of contempt.

Jones prattles about the "*throes*" which *report* says the Editor of this Gazette is subject to—throes, at the recital of which "humanity weeps." This *philanthropic, good-natured* soul has received very erroneous information. It may have been communicated by some individual, for the purpose of pleasing Jones' vanity, or exciting his risibility—but it is entirely destitute of truth.

We have said in a former number, that we could *gain* nothing by the present controversy. We still entertain the same opinion—which is corroborated by the concurrent opinion of Jones himself. For *once* in the course of his *splendid* literary career, he is right. We certainly could *lose* nothing—and as certainly could *gain* nothing, by continuing a controversy with such a *powerful, all-conquering* antagonist.

Jones daringly and triumphantly comes forward with a *third* invitation for us to specify one instance in which the Examiner has been made the medium through which misrepresentations have been promulgated. We do not choose, at this time, to gratify him. Perhaps when his spleen shall have in some degree subsided, and we have less important matter to arrest our attention, we may *accept* of his invitations. But this, it is presumed, will ever be unnecessary. The readers of the Examiner (if they resemble its Editor) must unquestionably possess penetration enough to discriminate between truth and falsehood—correct statements and misrepresentations. Let *them*, therefore, exercise their own judgments.

He adds—"Your insignificance in society precludes further animadversion". Jones once stood high in the estimation of his "fellow-citizens."—How he stands now, a thousand tongues, with mingled emotions of pity and indignation, can readily pronounce. *How are the* mighty *fallen!* The aspersion that is meant to be cast by the foregoing illiberal reflection, is worthy of the *source* from whence it sprang, and too contemptible to require a reply. We, however, shall never envy him the conspicuous figure which he has long made, and now makes, in society. His bare assertion can have no weight with those to whom we are known—and if we supposed that our "insignificance in society" would admit of being contrasted with his own, we should wish, from that moment, to "cease to exist."

It has been stated in this paper, that Mr. Francis Corbin *had been* a member of Congress. Jones exults very much at his ideal victory, supposed to be obtained by his having proven this statement to be *incorrect*. The "poor fellow" is incessantly chattering about this affair. Considerations of a peculiar nature ought to induce him, at least to adhere to a temperate forbearance. But it seems that he is as callous to the injunctions of delicacy as he is to the endearing ties of relationship. We forbear to make any further observations. Jones's *elevation* and *respectability* in society have erected a *rampart* around him that will bid a bold defiance even to the destructive ravages of time itself! We now bid him adieu—returning our acknowledgments to his Correspondent for the subjoined *Morceau*, which we leave Jones to digest at leisure.

FROM A CORRESPONDENT.

The Examiner of the 27th and 31st ult. abounds with mistakes. We say with mistakes, because we have too good an opinion of him to suppose him capable of any wilful misrepresentation. But yet we must confess that to *us* his vanity *seems* to have acquired a momentary ascendancy over his interest; the purity of party principle *seems* to be laid aside; and even patriotism *seems* to be sacrificed for the paltry purpose of attempting to gain a short-lived victory over Mr. Davis, in a matter which, abstracted from a love of truth, and the *great question* of STATE RIGHTS, is of little moment. It is a matter of little moment whether Mr. Francis Corbin was or was not elected a member of Congress, or whether the Examiner be correct or not in what he says of him. But it is a matter of much moment that the Rights of the State should be defended when they are attacked; and particularly when they are attacked by those, who are in the daily habit of making professions of friendship for, and attachment to, the state governments. When a libel against the legislature of Virginia is published and supported by him who receives his daily bread from the bounty of the legislature, much as we delight to fold ourselves up in the cloak of retirement, and alternately to pity and to laugh at the passing follies of the day, we cannot refrain from trying to set him right. We shall do it, however, with all that good humor and *good breeding*, that the Examiner knows well enough how to appreciate and to practice; though he may, for present purposes, affect to throw an air of ridicule over what he is pleased term "*the Courtly Bow.*"

The legislature is charged with passing an unconstitutional law in the year 1791, relative to the election of members of congress. This is a very serious charge, as it implies either folly or knavery, and ought surely to have been supported by some shew of argument. But instead of using any, the Examiner contents himself with *asserting* that it was *universally* admitted to be unconstitutional, and proceeds immediately afterwards, with a great deal of naivete, to confute his own assertion, by acknowledging that Mr. Corbin maintained its constitutionality, and by proving that a majority of the legislature thought as he did. Now if a majority of the legislature passed it, *not* knowing it to be unconstitutional, they were fools; and if they passed it knowing it to be so, they were knaves. Thus then the public printer has the merit of bringing the predecessors of his patrons into this awkward dilemma, out of which it is impossible to extricate them, but by a confession of his own error. He would hardly venture to bring the members of the assembling legislature into the same dilemma, however much so ever they might deserve it. The loss of his place, the being brought to the bar of the house, and the being imprisoned during the whole session, are penalties which he would not like to incur. Why then does he forget and despise the generous maxim of "de mortuis nil nisi bonum?" Is he lavish of censure because he is secure from punishment? But he should beware how he rouses that spirit, that "esprit de corps," which he knows pervades all public bodies. The legislature of 1803 may feel themselves called upon to vindicate the character of the legislature of 1791, and, in the short space of four months, he may be brought to repent of his rashness.

But he roundly and boldly asserts that the law passed in 1791 relative to the election of additional members of congress was unconstitutional, and that this was the reason why the counties of Accomack and Northampton did not elect the representative to which they were entitled. It is fortunate for the cause of truth that the times to which we refer are not so far back as to puzzle recollection. The events of only 12 years past are easily remembered. We appeal then to the public recollection, which we are satisfied will support us in affirming that not only no objection was ever made to it on the ground of unconstitutionality, except by a few furious federalists, but that the right of the state to additional representatives, so soon as the census was taken and returned to the president of the United States, which the law of congress, on that subject, expressly directed should be within nine months—that is to say, in the month of September following, was admitted by a great majority to be a clear and undoubted right conferred by and inferred from the constitution itself of the United States. Had this right, instead of being claimed by the states, as arising under the constitution, depended on the *mere good will* of the federal legislature, as contended for by the Examiner, that is, in a subsequent act of congress, it would have been tantamount to no right, since the passing of that act might have been postponed "de die in diem" *for ever*. Upon a question of such vital consequence to the existence of liberty and the state governments, as indeed every question must be which relates directly or indirectly to the great business of representation, the legislature determined not to concede any thing. On the contrary, the general opinion was, that it would be highly impolitic, seeing the propensity of the then ruling party to *belittle* the state governments as much as possible, and to draw all power into the federal vortex, *not* to assert the right strenuously, and to exercise it *punctiliously*, though it should be but for a single moment. The propriety of passing the law, we repeat then, was not opposed on constitutional ground, though we acknowledge that it was objected to by some of the devotees to Mr. Hamilton's *whole* system of finance. They suspected that Mr. Corbin, who at the preceding session had opposed the "Act of Assumption," and drawn up a spirited remonstrance against it, (a circumstance which cannot but meet with favor in the sight of the Examiner) would seize the opportunity of hurrying on to congress, if elected, and would add, though ineffectually, to the clamor which was raised against it. Upon this ground in reality some faint opposition was made to it, though the ostensible objection was, "that the term for which the additional representatives would be elected was so short, being not more than a month, as to render it almost useless to elect them at all." This reason occasioned the Eastern Shore *not* to elect; and this reason also, together with the rejection of the remonstrance early in the session, occasioned *the member who was elected*, as we imagine, not to proceed on to Philadelphia.

The Examiner trips at almost every step he takes in the account he has given of this business. Mr. Corbin was a competitor with our present amiable governor, when the four lowest counties in the Northern, and the six lowest counties between Rappahannock and York River composed the District—but never afterwards.

When Mr. New was set up in opposition to Mr. Corbin, he was returned, it is true, as duly elected. But it was believed by a great part of the District, that if the poll had been purged, a legal majority would have been found in favor of Mr. Corbin. It is extremely incorrect therefore to say, that Mr. New was elected by a *vast majority*. The vast majority was *twenty-six only*;* and if the Examiner will take the trouble to inform himself, (though the whole business is too trifling to take any trouble about) he will find that both at that and at the succeeding election, Mr. Corbin, though not elected, had a better interest than any other of the candidates. This gentleman, we acknowledge, did declare, "that he would knock and knock again at the doors of congress, 'till they should be opened." It was *not on this*, however, but *on another*, and a *very different occasion*. It is not unknown to the Examiner, who was a member of the Assembly at the time, that Mr. Corbin first moved the resolutions for instructing our senators to use their utmost endeavors to have the doors of the Senate of the United States opened to the citizens. It was *after the first* resolution had failed of its effect, and while he was urging its *renewal* that Mr. Corbin uttered those words; and we have confidence enough in the candour and patriotism of the Examiner to believe, that in this *second* instance, his conduct will be approved of. Delicate considerations, and a long acquaintance, by no means unfriendly to the Examiner, induce us to declare, that we have no inclination to enter into any sort of contestation with him, either personal or political. But as we never give, so neither do we decline a challenge. We therefore accept of his proposal to bid adieu to this subject—and will *shake hands* with him very cordially: Or, if compelled, we shall be prepared "tentare pericula belli."

* *Out of this* 26—19 *votes were notoriously known to be lost by unfairness. Eleven freeholders went out of King and Queen county to Essex, (that court-house being nearer than their own) to vote* against *Mr. Corbin, and were permitted to vote. Eight freeholders from the same county went over to King William court-house to vote* for *Mr. Corbin, (that court-house being also nearer to them than their own) and* they *were* not permitted to vote—*because they* were out of their county!

A London paper of the 20th July says—"It is with pleasure we are enabled to state, that the long pending discussion between our government and the United States, respecting the claims of the American citizens for captures by British cruizers, during the last war, are now brought very nearly to a conclusion. Last Friday, the first awards upon the instalments of the commissioners, amounting to about 400,000l. became due, and was punctually paid by this government.——The whole will amount to 1,200,000l. The three Commissioners, Messrs. Gore, Pinckney and Turnbull, who have resided in England for seven years, merit the thanks of both countries, for their patience and perseverance in the examinations and adjustment of claims that might have so greatly affected the good understanding between them."

Mrs. SULLY

Respectfully informs the Ladies and Gentlemen of Richmond and Manchester, that she proposes having

A CONCERT,

(Assisted by several Gentlemen Amateurs of Richmond) of

VOCAL & INSTRUMENTAL MUSIC,

At the May-Market Gardens, on Thursday, September 15th, the particulars of which will be announced in the bills of the day.

GILLIAT & KIRBY,

HAVE JUST RECEIVED

By the late arrivals from London and Liverpool,

A General Assortment of

Fall and Winter

GOODS,

Which they are now selling off at their usual low prices, for cash or country produce.

Richmond, September 12, 1803. *tf.*

ELLIS & ALLAN,

Have just received the greater part of their London

GOODS,

By the ship Suffolk. Their full assortment will be made complete by the arrivals of the ships New-York from London, and Ritson from Liverpool.

Richmond, September 13, 1803.

For the VIRGINIA GAZETTE.

Discourse on the Practice of Sincerity.

ON Saturday the 17th Inst. J. Ogilvie will deliver in the Capitol at five o'clock in the afternoon, a discourse on the practice of Sincerity, for the purpose, principally of explaining and modifying the practical inferences deducible from the principle which he endeavoured to establish, in his discourse on the freedom of the Press

☞ No charge will be made for Admission.

September 13.

Wants Employment.

A PERSON who teaches the English Language grammatically, together with Writing, Arithmetic, Geography, History, &c. He will either engage in a private family, or in a neighborhood where a tolerable good school can be made up.—For further particulars enquire of the Printer hereof, or of Mr. *William Pasteur* of Columbia.

September 13, 1803. 3w.

FOR SALE,

My TRACT of LAND,

IN King and Queen county, and five miles above West Point, containing five hundred and twenty five acres, pleasantly situated on the banks of Mattaponey River; the land is level, very productive, and one half thereof cleared, with a handsome and commodious brick dwelling house, and every necessary out house, in good condition, highly ornamented with Locust, Lombardy Poplar, &c. there are also valuable orchards of choice fruit, and several convenient springs of excellent water; there is no situation that receives more benefit from the water than this, which abounds with sturgeon, and other wild fowl.—A further description is supposed to be unnecessary, as it is probable no person will purchase without seeing the premises.

Benjamin Hoomes.

Point of View, September 12th, 1803. 2wp.

TO BE SOLD,

On the 1st October next, at the Eagle Tavern, the following Tracts of

Military Rights--to wit:

2033 Acres, (the patent by the president of the U. S.) in the name of G. F. Stras, assignee of Wm. Winslow, who was assignee of Benjamin Winslow, an ensign in the army of the U. S.

1000 Acres, a survey made for Peter Talbot, and assigned by general warranty by Wm. Radford, dec. to said G. F. Stras, lying on the west fork of Scioto.

666 2-3 Acres, a survey in the same predicament in every respect as the above. N. B. The above two surveys were received in payment in lieu of cash at 8s. for two houses and a piece of ground, where the family of the said Mr. Radford now reside; sold at a low price.

1000 Acres, being a survey, (as yet in the hands of Col. Richard Anderson) sold by general warranty and engagement to pay the expences of said survey, by Charles Copland, esq. to said G. F. Stras, the said Charles Copland being assignee of Charles Scott, (assignee of Charles Jones) the location being No. 694, N. W. O.

350, being an undivided moiety of 1100 acres, the whole purchased in the name of G. F. Stras, (by the president of the U. S.) the other half, or acre for acre, being claimed by promise from Mr. Chatham, said G. F. Stras' agent, to Mr. Wm. Little for having made the location and this survey of tract, by which circumstance the land is supposed to be very valuable.

400 Acres on Pittman's Creek, state of Kentucky, patented in the name of Robert Harvey, and purchased by G. F. Stras from Charles Copland, esq.

234 Acres, being No. 248, in the Illinois Grant, purchased in 1793, by said G. F. Stras, from capt. John Rogers, dec.

5883 2.3ds.

The terms of sale are, ¼ on the 1st of January 1804;--¼ on the 1st April;--¼ on the 1st of October following, and the last ¼ on the 1st of January 1805, payable in bonds, with approved security. For further particulars apply, for the first five Tracts, to Messrs. *Pickett, Pollard & Johnson*; for the two last, to Mr. *Charles Copland*.

July 30, 1803.

HUGH J. CRAWFORD

HAS JUST RECEIVED,

Per the ship Ritson, from London, and now offers for sale, at his Medicine Store, a general assortment of

Paints, Perfumery, Medicine, &c.

THE whole of which were selected with particular attention by himself, and will be found fresh and of a superior quality. Having purchased them with money, he is enabled to dispose of them at reduced prices for Cash, or on a short credit to punctual customers.

Richmond, Feb. 8, 1803. oawtf

TAKEN up as an estray, by the subscriber living in Albemarle county, near Charlottesville, a sorrel MARE, about 7 or 8 years old, 4 feet 5 or 6 inches high, with a flaxen mane and and tail, a blaze in her face, a small saddle spot on the right side, a small white spot upon the weathers, a small lump under her belly, and a little hipped in the right hip.

Benjamin Morris.

June 16th, 1803. 1aw3t.

UNITED STATES OF AMERICA, FIFTH CIRCUIT
Virginia district.
May term, 1803.

James Hopkirk, surviving partner of Alexander Spiers, John Bowman and Company, Against Plaintiffs, Christopher McConnico and James Campbell, John Grayson and Conrade Webb, executors of Thomas Shore, deceased, and Andrew J. McConnico, Defendants, } In Chancery.

THE defendant Christopher McConnico not having entered his appearance and given security according to a rule of this Court, and it appearing to the satisfaction of the Court, that the said defendant is not an inhabitant of this district: On the motion of the plaintiff by his counsel, *it is ordered*, that the said defendant do appear here on the first day of the next term & answer the plaintiff's bill: & that a copy of this order be forthwith inserted in some one of the newspapers published in the city of Richmond for two months successively, and posted up at the front door of the Capitol of the said city.

A Copy—Teste,

James Blagrove, D. C.

SALES AT AUCTION.

On Wednesday the 12th day of October next, WILL BE SOLD at PUBLIC AUCTION, at the Office of the subscriber,

ALL the remaining effects of James Thompson, Bankrupt, consisting of a quantity of LAMP-BLACK in hhds. and about 180 lbs. of TURKEY COTTON. *ALSO—*

A lot of ground, containing four acres more or less, lying at the Bowling Green, commonly known by the name of Du-Val's Village

ALSO—

Five half acre lots in the vicinity of Richmond, known and denoted by the survey and plat made by Wm. G. Payne for Mr. Du Val—and No. 66, 88, 89, 90, 91. The titles will be made, and six months credit allowed the purchasers, on giving bond with approved security.

By order of the assignees.

THOMAS TAYLOR, Auctioneer.

September 5th, 1803. eptds.

A FEW COPIES OF
Hening's Virginia Justice,
For Sale at this Office.

Valuable Property
FOR SALE.

That well known plantation in the upper end of Hanover, called

Bulfield,

NOW containing sixteen hundred and seventy five acres, more or less. It is not necessary to say much concerning this property, for it is not supposed any person will purchase who does not first view it, I therefore invite all those who may be disposed to invest their money in land, to examine this estate. I will, however observe, that it is in tolerable order for farming, and that it has been very much improved within the last three or four years, but there is still room for and great improvements may yet be made. There is on it a tolerable good old fashioned dwelling house, an overseer's house, negro quarters, two good barns (in one of which is Booker's Threshing Machine,) and other convenient out houses, nearly 1000 young apple trees, just beginning to bear, and 4 or 500 peach trees, all of various kinds and choice selections. Between 7 and 800 acres are cleared, the rest in woods and mostly well timbered. About 40 or 50 acres of swamp already cleared and partly ditched, designed for meadow; more than 100 acres are laid off in lots and chiefly well set in clover.

There is sown 300 bushels of forward and 50 of latter wheat, about 150 bushels of the forward wheat is on fallowed and manured land, and put in in a masterly manner, but all the rest is in the corn field, according to the Virginia system—also about sixty acres of Rye. The sale will be made with or without the wheat and rye crops, as may be agreed on, and this circumstance will regulate the surrender of possession.

I desire also to sell, between 70 and 80 valuable

Labourers,

of whom 24 are men and boys, and none very old. These will be sold in families, for on no account will I separate them. Also about 200 head of CATTLE, of which upwards of 40 are Oxen. Ten excellent MULES, well broke to the waggon and plough; some very good work horses, and a work mare, believed to be with foal by a jack; four very good brood Mares, two of them known to be blooded, and the others believed to be so, and two are believed to be with foal by Stirling

Six Colts, two of them will be two years old next spring, one by Spread Eagle and the other by Cormorant, out of the blooded mares; two yearling colts by Spread Eagle; also one Mule Colt.

All the stock of Sheep and Hogs, Crops of Corn and Rye, plantation Tools, Waggons, Carts, &c. &c.

To save unnecessary conversations, it is proper to observe, that the negroes, stock, &c. will not be sold until a previous sale of the land shall have taken place; or the whole will be disposed of at once to a single purchaser.

I again offer the remainder of my Richmond property for sale, consisting of a square of Lots and the Houses formerly occupied by myself including the House in which the Loan Office of the United States is now kept. The vacant Lots adjoining Mr. Pickett. A House and Lot lately the property of Samuel M'Craw, Esq. and the House and Lot formerly occupied by the Hon. John Pendleton. Possession of the Richmond property (except the House and Lot last mentioned and the vacant Lots) cannot be surrendered until the 1st Jan. 1804, without the consent and to suit the convenience of the present occupants.

I desire likewise to sell, about 24,000 acres of

Military Lands,

In the state of Kentucky and on the N. W. of the Ohio, chiefly patented in my own name, some of which patents are now and others will soon be in my possession. From these all the information may be derived as to its situation, &c. which it is in my power to afford.

Satisfactory titles to the foregoing property will be given the purchasers according to the tenure by which I hold the same.

Although it is no part of my object to turn the property hereby offered for sale, into public funds, yet payments for any part of it will be facilitated by receiving any species of the stock of the United States or of the Bank of the United States, or of any private Banks and Insurance Companies, so far as to accommodate purchasers. For terms apply to

John Hopkins.

Richmond, Jan. 3, 1803. 1awtf

LAND & NEGROES
FOR SALE.

On Tuesday the first day of November next, if fair, otherwise on the first fair day thereafter, will be sold, on the premises to the highest bidder, that valuable and highly improved seat, called

CLIFTON,

WHEREON I now reside, in the vicinity, and adjoining the town of New-Castle, in the county of Hanover, containing by an old survey three hundred acres, more or less, of high and flat land, under new enclosures, and commanding an extensive prospect of the town and surrounding country, on either side of the Pamunkey River.

The improvements consist of a two story dwelling house, with four rooms and a passage below, and a above stairs, with large and convenient closets, and a good cellar; together with the several attached and detached offices of every description, and an excellent garden, to which, for a number of years the greatest attention has been directed.

The above, in the mean time, may be treated for at private sale.

At the same time and place, will be sold, about 20 valuable country born SLAVES; amongst them are some excellent house servants, cook, weaver, rough carpenter, and shoemaker, together with the crops of CORN, WHEAT, &c.—Household and Kitchen FURNITURE of every kind, stocks of HORSES, CATTLE, SHEEP and HOGS—Plantation and Farming UTENSILS.

The Land will be sold on a credit of 12 months, and the rest of the property at 12, for all sums above twenty dollars. Bond with approved security will be required, to carry interest from the day of sale. Application may be made to either of my sons at Petersburg or Richmond.

John Shore.

Clifton, August 18, 1803. 12awtN.

NOTICE.

THE CELLS appropriated for Males in the Lunatic Hospital in Williamsburg being at present filled with patients, I am directed to notify the same, to avoid unnecessary expence in sending others until there may be vacant Cells to receive them, of which notice will be given.

W. Russell, C. C. D.

Williamsburg, August 25, 1803. 3w.

Claret
FOR SALE.

THE subscriber has just received a Consignment of excellent CLARET, in *Casks*, containing 12 bottles each, which will be sold low for *Cash*, or *Country Produce*, at market rates.

ROBERT GAMBLE.

Richmond, July 21st, 1803.

HUNGARS PARISH,

IN the county of Northampton and state of Virginia, having become vacant by the death of the late Rector, Dr. McCroskey, the Vestry of the Parish, through their Church Wardens, have an opportunity of offering to a Minister of the Protestant Episcopal Church, this valuable Glebe.

This Glebe, to which is annexed 12 valuable slaves; contains 1600 acres of land; has been managed with a fostering hand by the late occupant, and will be found by his successor in a state of neatness and repair highly honorable to his taste and attention. The improvements consist of a good old fashioned brick dwelling house, with all necessary out houses, in good repair—an excellent garden, with orchards of various fruits, of choice selections. The situation, on the waters of the Chesapeake, is airy and healthy, and in point of beauty and convenience, exceeded by few in the state. The best evidence which can be offered of its value, is the handsome profits which have arisen to its occupant, from its possession. This Glebe having accrued to the Parish under the devise of an individual, the vestry are bound by the terms of that devise to induct a minister within six months from the death of the late incumbent, which will be on or before the 20th day of October. In the mean time, they will be ready to hear all those who wish to become candidates.

Richard Dunton, } Church
Nathaniel Holland, } Wardens.

June 14, 1803. 3m.

NOTICE.

In the matter of HOOPER & TOLER, Bankrupts.

THE Commissioners named and authorised in and by a commission of bankruptcy awarded and issued, and now in prosecution against Thomas Hooper and Henry Toler, Merchants of the city of Richmond, trading under the firm of Hooper and Toler, intend to meet on Saturday, 29th day of October next, at their office in the city of Richmond, at 10 o'clock in the forenoon, in order to make a dividend of the estate and effects of the said Bankrupts, when and where the creditors, who have not already proved their debts under the said commission, are hereby required to come prepared to prove the same, or they will be excluded the benefit of the said dividend.

William Temple,
Marcus Elcan, } Assignees.

Richmond, August 26, 1803.

N. B. The assignees have got in their possession the Books, Bonds, &c. belonging to the estate of Hooper and Toler, and request all those indebted to said concern to come forward & discharge their respective balances—or suits will without regard to persons, be instituted.

COMMITTED

TO this jail, an old NEGRO MAN, who says he belongs to Mathew Lee, of Prince George county. He appears to be about 60 years of age, has a bald head, and is about 5feet 7 or 8 inches high.—The owner is desired to prove his property, pay charges and take him away, or he will be dealt with according to law.

James Taylor, jailor.

Williamsburg, 20th July, 1803.

VALUABLE LANDS
FOR SALE,
On one, two and three years credit.

ON the third Monday in October next, being Amherst court day, the subscriber will offer to public sale, at the Court-house of Amherst county, on one, two and three years credit, that valuable TRACT OF LAND belonging to the estate of Charles Irving, deceased, and by his Will directed to be sold; lying on Piney River, in the county of Amherst, and containing by estimation two thousand two hundred acres. There is on this tract a considerable quantity of as rich Tobacco land as any in the upper country, added to a large body of flat or bottom lands on the River, excellently adapted to the cultivation of Corn, Wheat or Tobacco.

Its situation is as healthy as any whatever lying within eight miles of Amherst Court-house, and within 18 or 20 miles of James River. It will easily admit of division into three separate tracts, between which, the cleared land may be nearly equally divided.

Mr. William Staples, who lives on the land, will shew it to any person who may be inclined to purchase; and there will be left with him an accurate plat shewing the situation of the whole tract, and also of the smaller tracts into which it may be divided. It will be sold entire, or in smaller tracts, as may be thought most adviseable on the day of sale. Possession will be given the first day of January next. The intrinsic value of this land, its healthy situation, and the convenience of the payments, make it an object well worthy the attention of those who may wish to purchase lands. Bonds with approved security will be required, to carry interest from the date, if not punctually paid. WM. H. CABELL,

for the Executors of CHARLES IRVING, dec'd.

August 22, 1803.

I have for SALE, at my Mill, near the city of Richmond,

PLAISTER OF PARIS,

IN the lump, or ground, ready for manure or plaister, which will be sold low, and a considerable deduction made to those who purchase by the large quantity. RICHARD ADAMS.

August 12, 1803. 6mhs.

NOTICE.

THERE will be a PETITION presented to the next General Assembly for a law to pass to authorize John Barnett to build Locks from his Mill race to Deep Water on Dan River, below his Mill, and to enable him to take toll for the passage of boats when done.

August 27, 1803.

Will be sold, at public vendue, on Tuesday the 18th day of October next, pursuant to the last Will of Joseph Gloss, deceased, a very valuable

PLANTATION,

FIVE miles S. W. of Winchester. This tract contains about 400 acres, is fertile, healthy and beautifully situated. There is on the premises a valuable mill seat, with 29 feet fall, immediately on the great road leading from Winchester to Marlbro' Iron Works. The stream is composed chiefly by the junction of several never failing springs that rise on the premises, two of which are convenient to the dwelling house, and of an excellent quality. The mill pond will be most happily situated for a fishery. There is a good orchard, and a large quantity of meadow. An indisputable title will be made, and possession given the first day of April, 1804. The sale to be on the premises.

Robert Gloss, *Ex'or.*

August 12, 1803. 3t.

Ten Dollars Reward.

RUN AWAY from the subscriber, on Sunday the 21st instant,

JOHN,

a likely black man, 20 or 22 years of age: he is well made, 5 feet 9 or 10 inches high. He has lived some time with a baker, and formerly lived with Mr. Michael Myers of this city. Had on when he went off, osnaburgs shirt and overalls, and a short Virginia cloth waistcoat; but as he made free with some of my money, and three oval silver plates with screws marked with the letter G. off my carriage, it is probable he may have bought others. All persons are cautioned against concealing him, and all masters of vessels from taking him from this place, or any other. The above reward will be paid on delivering him to the jailor, if taken in this county; and if in any other county, *Twenty Dollars.*

J. Gunn.

Henrico, August 31, 1803.

JUST PUBLISHED,

AND ready for delivery, a BOOK, containing 304 pages of the choicest HYMNS and SPIRITUAL SONGS now extant. The Hymns are selected from the most approved authors, and adapted to the different modes of Divine Worship. The Spiritual Songs contained in our late publication are comprized in this; also, a number entirely *new*, together with some selected from pamphlets lately published in *North* and *South Carolina*, and in *Baltimore*. The whole have been carefully revised and corrected by the Rev. JOHN COURTNEY, of the city of Richmond.—Purchasers will find the price of this book much lower than any work of the kind heretofore published.

Copies of the above books may be obtained from the Rev. Mr. Courtney, from Mr. W. Potter, Bookbinder, and from either of the publishers.

John Dixon.
John Courtney, Jr.

Richmond, July 20, 1803.

STOLEN

Out of the subscriber's stable, on the night of the 21st April last, a

A BAY MARE,

ABOUT 14 hands high, and about 8 or 9 years old, has striped hoofs, with a few white hairs round one of the hind hoofs, a star in her forehead, intermixed with brown hairs. She is perhaps one of the fleetest nags for a quarter of a mile in this state; trots and gallops remarkably well, and carries her tail very strait. A reward of twenty dollars will be given for delivering the said Mare to me, living in Essex county, or for such information as she be obtained; and on conviction of the thief, and recovery of the Mare, fifty dollars.

JOSEPH BOHANNAN.

Essex county, June 24, 1803. 3mp

30 Dollars Reward.

Ran away on Monday the 20th June last, a NEGRO GIRL, called

SALLY,

LATELY the property of Mr. William Robertson, of Manchester. She is a tall, spare, black Girl, about twenty years old, stoops much, has very short knotty hair, which she attempts to make longer by plaiting; her nose turns up and is very thick at the end. Davy and Peter Norton, in Richmond or Manchester, are her uncles, by whom it is probable she is harbored.—She is a good semstress.

I will give the above reward to any person who will secure her in Jail so that I get her again.

JOHN GILLIAM.

Prince George, near Petersburg, July 15, 1803.

NOTICE.

WE wish to employ a single man capable of teaching the English language grammatically—One that can come well recommended for his sobriety, morality, &c. will meet with liberal encouragement. None else need apply.

THOMAS PEMBERTON.
JOHN WOODSON.

Goochland, September 4, 1803.

To Rent,

And immediate possession given,

THE Upper APARTMENT of the HOUSE occupied by the subscribers on the Main-street, and opposite Mr. Thomas Taylor's Vendue Office. PRICE & SANDIDGE.

Richmond, 9th Sept. 1803. tf.